

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

FEB 2 2008

----- X  
:  
:  
GINA ANNE NOEL PANE  
:  
:  
Plaintiff, : **STIPULATION AND**  
:  
:  
v. : **PROTECTIVE ORDER**  
:  
:  
TOWN OF GREENBURGH et al  
:  
:  
Defendants.:  
:  
----- X

The Court enters this Stipulation and Protective Order ("Order") at the request of the parties to the above-captioned action, for the purpose of assuring the confidentiality of certain information that may be disclosed in this action by Credit Suisse Securities (USA) LLC ("Credit Suisse").

1. Any information designated by Credit Suisse as "Confidential Information" that may be produced by Credit Suisse in documentary form, as an oral statement, or in any other form (a) shall be used solely for the purpose of this action; (b) shall be disclosed only to the individuals identified in paragraph 2(a)-(e) of this Order; and (c) shall not be published to the public in any form by the parties or their counsel or by the individuals identified in paragraph 2(a)-(e) of this Order.

2. Use of information designated by Credit Suisse as "Confidential Information" shall be restricted to the following persons:

(a) Attorneys employed by the parties to the above-captioned action and employees of such attorneys to whom it is necessary that the information be disclosed for purposes of this action;

(b) Such employees of the parties as are necessary to assist in the prosecution of this action;

(c) Independent persons (including independent accountants, statisticians, economists, or other technical experts) retained by the parties to the above-captioned action, or by their attorneys, solely for the purpose of assisting in the preparation of this action, provided that any such independent persons have executed a written agreement to be bound by the terms of the Order and have been provided with a copy of the Order;

(d) Court reporters or stenographers engaged to record deposition testimony, and their employees;

(e) Other persons as may be authorized by the Court.

3. Information shall constitute "Confidential Information" when Credit Suisse marks the first page of a document (or any copy of that document) "Confidential"; when Credit Suisse provides written notice to counsel that a document (or part of a document) or information in any form is "Confidential"; or when Credit Suisse states on the record during an oral deposition or otherwise that a statement, a document or information in any form is "Confidential."

4. Nothing shall prevent disclosure beyond the terms of this Order in the event that Credit Suisse consents to such disclosure or in the event that the Court orders such disclosure.

5. Any inadvertent disclosure by Credit Suisse of "Confidential Information," regardless of whether the information was so designated at the time of disclosure, shall not be deemed a waiver in whole or in part of Credit Suisse's claim of confidentiality, either as to the specific information disclosed or as to any other information relating thereto or as to the same or related subject matter.

6. Within sixty (60) days after the conclusion of this action, the originals and reproductions of any documents produced by Credit Suisse that contain information

designated by Credit Suisse as "Confidential Information" shall either be returned to Credit Suisse or the party to which such documents were produced shall certify to Credit Suisse that such documents have been destroyed, provided that counsel for the parties shall be entitled to retain one copy for their files of any material filed with the Court, subject to the continued protections of this Order.

Dated: New York, New York  
February 26, 2008

CREDIT SUISSE SECURITIES (USA)  
LLC

By: Alexander Barnard  
Alexander C.B. Barnard, Esq.  
Director and Counsel  
Credit Suisse Securities (USA) LLC  
Legal & Compliance Department  
One Madison Avenue  
New York, NY 10010  
(212) 325-2000

Dated: Tarrytown, New York  
February 29, 2008

Stecich Murphy & Lammers, LLP

By: 

Brian D. Murphy  
828 South Broadway, Suite 201  
Tarrytown, NY 10591

Attorneys for Defendant

Dated: New York, New York  
February 29, 2008

The Law Firm of Ravi Batra, P.C.

By: 

Ravi Batra, Esq.  
The Law Firm of Ravi Batra, P.C.  
The Batra Building  
142 Lexington Avenue  
New York, New York 10016

Attorneys for Plaintiff

Dated: Tarrytown, New York  
February 4, 2008

Stecich Murphy & Lammers, LLP

By: 

Stecich Murphy & Lammers, LLP  
828 South Broadway Suite 201  
Tarrytown, New York 10591

Attorney for the Town of Greenburgh  
And Chief John Kapica

Dated: White Plains, New York  
February 29, 2008

Thomas Troetti, Esq

By:   
Thomas Troetti, Esq  
305 Old Tarrytown Road  
White Plains, New York 10603.

Attorney for Individual Police officers  
and John Doe[s]

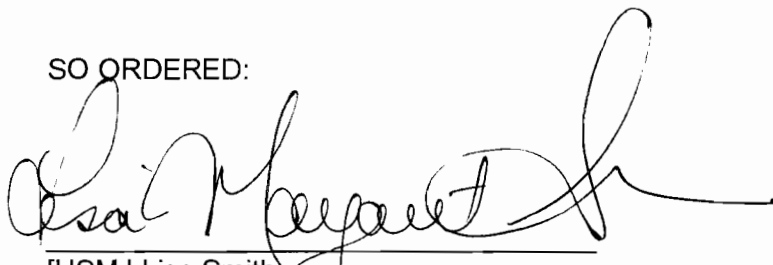
Dated: White Plains, New York  
February 29, 2008

Quinn & Mellea, L.L.P.

By:   
Quinn & Mellea, L.L.P.  
Crosswest Office Center  
399 Knollwood Road, Suite 220  
White Plains, New York 10603

Attorney for Erik Ward

SO ORDERED:

  
[USMJ Lisa Smith]